

\*\*E-filed 6/13/06\*\*

1 KEVIN V. RYAN (CSBN 118321)  
United States Attorney

2 MARK L. KROTOSKI (CSBN 138549)  
3 Chief, Criminal Division

4 SUSAN KNIGHT (CSBN 209013)  
Assistant United States Attorney

5 150 Almaden Blvd., Suite 900  
6 San Jose, California 95113  
Telephone: (408) 535-5056  
7 FAX: (408) 535-5066  
Susan.Knight@usdoj.gov

8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION  
12

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 YUEQIANG CHEN,  
17 a/k/a Bill Chen,

18 Defendant.

No. 06-00384 JF

STIPULATION AND [~~PROPOSED~~]  
ORDER EXCLUDING TIME

SAN JOSE VENUE

19  
20 On June 8, 2006, the undersigned parties in the above-captioned case appeared before the  
21 Court for an arraignment. After the defendant was arraigned on an indictment and entered a plea  
22 of not guilty, Assistant United States Attorney Susan Knight explained to the Court that the  
23 government needed to provide discovery to Steven Manchester and requested an exclusion of  
24 time under the Speedy Trial Act. The defendant, through Mr. Manchester, agreed to an exclusion  
25 of time from June 8, 2006 until June 28, 2006. The parties agree and stipulate that an exclusion  
26 of time is appropriate based on the defendant's need for effective preparation of counsel and  
27 continuity of counsel.

28 //

1 SO STIPULATED:

KEVIN V. RYAN  
United States Attorney

2  
3 DATED: \_\_\_\_\_

/s/  
SUSAN KNIGHT  
Assistant United States Attorney

5 DATED: \_\_\_\_\_

/s/  
STEVEN R. MANCHESTER  
Counsel for Mr. Chen

8 Accordingly, the Court HEREBY ORDERS that time be excluded under the Speedy Trial Act  
9 from June 8, 2006 until June 28, 2006. The Court finds, based on the aforementioned reasons,  
10 that the ends of justice served by granting the requested continuance outweigh the best interest of  
11 the public and the defendant in a speedy trial. The failure to grant the requested continuance  
12 would deny defense counsel reasonable time necessary for effective preparation, taking into  
13 account the exercise of due diligence, and would result in a miscarriage of justice. The Court  
14 therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(8)(A)  
15 and (B)(iv).

16 SO ORDERED.

17 DATED: 6/12/06

  
HOWARD R. LLOYD  
United States Magistrate Judge  
Jeremy Fogel